

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

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In re:	:	Chapter 11
	:	Case No. 08-35653
CIRCUIT CITY STORES, INC., <u>et al.</u> ,	:	Jointly Administered
	:	
	:	
Debtors.	:	
	:	
	:	
	:	
	X	

NOTICE OF MOTION AND HEARING

PLEASE TAKE NOTICE that North Plainfield VF LLC and Marlton VF LLC (together, the “Landlords”), by and through counsel, have filed with the Court in the above-styled bankruptcy, a *Motion of North Plainfield VF LLC and Marlton VF LLC to Compel the Debtors to Perform Postpetition Obligations Pursuant to 11 U.S.C. §365(d)(3)* (the “Motion”).

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought

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in the *Motion*, or if you want the Court to consider your views on the *Motion*, then or before

January 9, 2009 you or your attorney must:

1. File with the Court, at the address shown below, a written response pursuant to *Local Bankruptcy Rule* 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

William C. Redden, Clerk of Court
United States Bankruptcy Court
Eastern District of Virginia, Richmond Division
701 E. Broad Street, Suite 4000
Richmond, VA 23219

You must also mail a copy to:

William A. Gray, Esquire (VSB #46911)
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2. Attend a hearing scheduled for **January 16, 2009, at 10:00 a.m.** at the United States Bankruptcy Court located at 701 East Broad Street, Suite 4000, Richmond, Virginia, in Judge Huennekens' Courtroom, in addition to filing a written objection or response to the *Motion*. If you fail to timely file a written response and to attend the hearing, the Court may consider any objection you have waived, and enter an order granting the relief requested in the *Motion* without holding a hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the *Motion* and may enter an Order granting that relief.

NOTICE

Under *Local Bankruptcy Rule* 9013-1, unless a written response to the *Motion* is filed with the Clerk of Court and served on the moving party within five (5) business days prior to the **January 16, 2009**, hearing date, or on or before **January 9, 2009**, objecting to the relief requested, the Court may deem any opposition waived, treat the *Motion* as conceded, and issue an Order granting the requested relief without further notice or hearing.

Dated: December 19, 2008

Respectfully Submitted,
NORTH PLAINFIELD VF LLC and
MARLTON VF LLC

By Counsel:

By: /s/ William A. Gray
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Certificate of Service

I hereby certify that on this 19th day of December, 2008, a true and accurate copy of the foregoing was electronically filed with Clerk of the Court for the Eastern District of Virginia, Richmond Division, using the CM/ECF system, which thereby caused the above to be served electronically on all registered users of the ECF system that have filed notices of appearance in this matter, and was mailed, by U.S. Mail, first class, postage prepaid, to all persons on the attached service list.

/s/ William A. Gray

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